II: 6-9, 20 (part a), 21, 22 (part a) and 23, directed to a pharmaceutical composition comprising a vector and a method for treatment;

III: 10-12, 24-26 directed to a hybridization-based detection method;

IV: claim 13, directed to a polypeptide;

V: claim 17 directed to an antibody;

VI: claim 20 (parts b-d) and 21, directed to a pharmaceutical composition comprising a polypeptide;

VII: claim 22 (part b) and 23, directed to a pharmaceutical composition comprising an antibody;

VIII: claims 27-29, directed to a method for detecting compounds binding to a VEGF variant; and

IX: claim 30, directed to a method for detecting the presence of a VEGF variant using an antibody.

This Restriction Requirement is traversed as drawn. Reconsideration of the Restriction Requirement is requested. In particular, Applicants urge redrawing of the requirement as below:

I: 1-12, 14-16, 18, 19, 20 (part a), 21, 22 (part a) and 23-26, directed to isolated nucleic acids, vectors, pharmaceutical compositions comprising such vectors, methods for treatment using the vectors, hybridization-based detection methods utilizing such nucleic acids and vectors, and host cells;

II: claims 13, 20 (parts b-d) and 27-29, directed to a polypeptide, a pharmaceutical composition comprising the polypeptide and a method for detection of interacting compounds using the peptide;

III: claims 17, 22 (parts b-d), 23 and 30, directed to an antibody, a pharmaceutical composition comprising the antibody and a method for detecting variant VEGF using the antibody.

The present Restriction Requirement, presenting nine groups of claims, is improper in that it deems unitary compositions and methods for use of those compositions to be separate inventions. Applicants submit that the Examiner has not shown independence of the claims of groups II and III from the claims of group I, nor of

the claims of groups VI and VIII from the claims of group IV, nor of the claims of groups VII and IX from the claims of group V. This is especially true in the instances where claims directed to pharmaceutical compositions are separated from claims to the composition that is the active component of the pharmaceutical composition. Furthermore, it is the correct practice to include in a single application claims directed to a composition and either method of use or method of production claims limited to allowable scope of the corresponding composition.

Accordingly, Applicants elect at this time to prosecute the claims of Group I, claims 1-5, 14-16, 18 and 19, in the present application. In the event that the Examiner agrees to redraw the Restriction Requirement as suggested above by Applicants, Applicants elect the claims of redrawn group I, claims 1-12, 14-16, 18, 19, 20 (part a), 21, 22 (part a) and 23-26, for prosecution in the instant application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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